

108TH CONGRESS
1ST SESSION

H. R. 698

To provide for and approve settlement of certain land claims of the Wyandotte Nation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2003

Mr. MOORE (for himself and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide for and approve settlement of certain land claims of the Wyandotte Nation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SETTLEMENT OF CLAIMS OF THE WYANDOTTE**

4 **NATION.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) The Wyandotte Nation has a valid interest
7 in certain lands located in the Fairfax Business Dis-
8 trict in Wyandotte County, Kansas, that are located
9 within the Nation's reservation established pursuant
10 to an agreement between the Wyandotte Nation and

1 the Delaware Nation dated December 14, 1843,
2 which agreement was ratified by the Senate on July
3 25, 1848.

4 (2) The Wyandotte Nation filed a lawsuit, Wy-
5 andotte Nation v. Unified Government of Kansas
6 City and Wyandotte County, Kansas, U.S. D.C.
7 Kan., Case No. 012303–CM, against certain land-
8 owners within the Fairfax Business District to as-
9 certain and adjudicate ownership of lands that were
10 once owned and held in trust by the United States
11 for the benefit of the Wyandotte Nation but were
12 not conveyed to the United States by the Wyandotte
13 Nation pursuant to the Treaty of January 31, 1855.

14 (3) The Lawsuit also contends that certain
15 major roads in Kansas City encroach upon a certain
16 parcel of land, known as the Huron Cemetery, which
17 was reserved for the Wyandotte Nation in the Trea-
18 ty of January 31, 1855.

19 (4) The pendency of this Lawsuit has resulted
20 in severe economic hardships for the residents of the
21 Fairfax Business District of Wyandotte County,
22 Kansas, by clouding title to much of the land within
23 that District.

24 (5) Congress shares with the residents of the
25 Fairfax Business District of Wyandotte County,

1 Kansas, a desire to remove all clouds on title result-
2 ing from the Lawsuit without additional cost or ex-
3 pense to either the United States, the State of Kan-
4 sas, the Unified Government of Kansas City and
5 Wyandotte County, Kansas, and all other land-
6 owners within the Fairfax Business District of Wy-
7 andotte County, Kansas.

8 (6) The Wyandotte Nation and the Unified
9 Government of Kansas City and Wyandotte County
10 have reached an agreement settling the Lawsuit
11 which requires implementing legislation by Congress.

12 (b) PURPOSES.—The purposes of this Act are as fol-
13 lows: —

14 (1) To settle the Lawsuit.

15 (2) To direct the Secretary to take into trust
16 for the benefit of the Wyandotte Nation the Settle-
17 ment Lands in settlement of the Wyandotte Nation’s
18 Lawsuit and the land claims asserted therein.

19 (c) DEFINITIONS.—For purposes of this Act, the fol-
20 lowing definitions apply: —

21 (1) KANSAS LANDS.—The term “Kansas
22 Lands” means all of the lands described and identi-
23 fied as “Gifted Lands” and “Accreted Lands” in the
24 Wyandotte Nation’s complaint filed in the Lawsuit,
25 as well as those portions of Seventh Street and Min-

1 nesota Avenue located within Kansas City, Kansas,
2 which the Wyandotte Nation claim in the Lawsuit
3 were included within the Huron Cemetery under the
4 Treaty of January 31, 1855.

5 (2) LAWSUIT.—The term “Lawsuit” means
6 Wyandotte Nation v. Unified Government of Kansas
7 City and Wyandotte County, Kansas, U.S. D.C.
8 Kan., Case No. 012303–CM.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (4) SETTLEMENT LANDS.—The term “Settle-
12 ment Lands” means the following parcel of real
13 property located in the City of Edwardsville, Wyandotte
14 County, Kansas and more particularly de-
15 scribed in Quit Claim Deed filed for record as Parcel
16 I.D. 944806, Book 3190 at Page 198 and Book
17 4408 at Page 789 in the Wyandotte County, Kan-
18 sas, Register of Deeds Office.

19 (5) UNIFIED GOVERNMENT.—The term “Uni-
20 fied Government” means the Unified Government of
21 Kansas City and Wyandotte County, Kansas.

22 (6) WYANDOTTE NATION.—The term “Wyandotte
23 Nation” means the Wyandotte Nation, a feder-
24 ally-recognized Indian tribe.

1 (d) EXTINGUISHMENT OF LAND CLAIMS.—Not later
2 than 90 days after the date of the enactment of this sec-
3 tion and as part of the settlement of the Lawsuit and the
4 Wyandotte Nation’s land claims asserted therein, the Sec-
5 retary shall take and hold title to the Settlement Lands
6 in trust for the benefit of the Wyandotte Nation pursuant
7 to and within the scope and meaning of section
8 20(b)(1)(B)(i) of the Indian Gaming Regulatory Act (25
9 U.S.C. 2719(b)(1)(B)(i)). Any and all claims which the
10 Wyandotte Nation has or could have asserted in the Law-
11 suit shall be extinguished upon—

12 (1) the Secretary accepting title to the Settle-
13 ment Lands in trust for the Wyandotte Nation; and

14 (2) publication in the Federal Register of a no-
15 tice of approval of tribal-State compact between the
16 Wyandotte Nation and the State of Kansas pursuant
17 to section 11(d)(3)(B) of the Indian Gaming Regu-
18 latory Act (25 U.S.C. 2710(d)(3)(B)).

19 (e) SHRINER PROPERTY.—Congress confirms that
20 the United States acquired title to the Shriner’s Property
21 in trust for the benefit of the Wyandotte Nation effective
22 July 15, 1996. Notwithstanding the trust status of the
23 Shriner’s Property, the Wyandotte Nation shall have no
24 rights to conduct gaming on the Shriner’s Property upon—

- 1 (1) the Secretary accepting title to the Settle-
2 ment Lands in trust for the Wyandotte Nation; and
- 3 (2) publication in the Federal Register of a no-
4 tice approval of a tribal-State compact between the
5 Wyandotte Nation and the State of Kansas pursuant
6 to section 11(d)(3)(B) of the Indian Gaming Regu-
7 latory Act (25 U.S.C. 2710(d)(3)(B)).

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